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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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LDT
2-24-04

In re Application of: Mark C. Terranova, §
Michael P. Shea, Robert E. Walsh §
Michael V. Jarrobin, Michael J. Stokes §

Group Art Unit: 2155

Examiner: Benjamin R Bruckart

Serial No.: 09/633,476 §

Attorney Docket.: 5181-60700 §

Filed: August 07, 2000 §

For: System and Method for Testing §
Server Latencies Using Multiple §
Concurrent Users in a Computer §
System §

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B. Noël Kivlin
Registered Representative

2-13-04
Date

Signature

NOTICE OF APPEAL

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FEB 23 2004

Technology Center 2100

Commissioner for Patents
M/S AF
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final Office Action dated November 17, 2003.

A Fee Authorization form in the amount of \$320.00 is enclosed to cover the fee for filing this Notice of Appeal pursuant to 37 C.F.R. §1.17(b) (large entity). The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number. If the abovementioned account is found to have insufficient funds, the Commissioner is authorized to charge Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 501623/5181-60700.. **Two duplicate copies of this sheet are enclosed.**

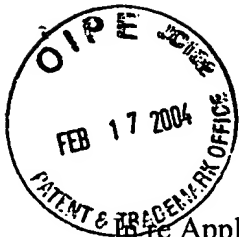
Respectfully submitted,

B. Noël Kivlin
Reg. No. 33,929
ATTORNEY FOR APPLICANT(S)

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Meyertons, Hood, Kivlin, Kowert and Goetzel, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Phone: (512) 853-8800
Date: 2-13-04



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